



City of Carmel

CARMEL PLAN COMMISSION

October 18, 2005

Minutes

The regularly scheduled meeting of the Carmel Plan Commission met at 6:00 PM on October 18, 2005 in the Council Chambers of City Hall, Carmel, Indiana. The meeting opened with the Pledge of Allegiance.

Members present: Jerry Chomanczuk, Leo Dierckman, Dan Dutcher, Kevin Heber, Dianna Knoll, Mark Rattermann, Rick Ripma, Steve Stromquist, Madeleine Torres, Susan Westermeier, thereby establishing a quorum.

Members of the Department Community Services Present: Mike Hollibaugh, Director, Matt Griffin and Adrienne Keeling, Planning Administrators. Also in attendance: John Molitor, Legal Counsel.

The Minutes from the September 20, 2005 meeting were approved as submitted.

Announcements: Mike Hollibaugh, Director of DOCS, requested that the Executive Committee meet one-half hour prior to the regularly scheduled Committee meetings on November 1, 2005 to discuss up-dating the Comprehensive Plan for the City. The meeting would begin at 5:30 PM.

Mike Hollibaugh introduced Christine Barton-Holmes and David Littlejohn as the newest members of the Department of Community Services planning staff.

Matt Griffin requested that the Agenda for this evening be re-ordered to accommodate a petitioner of circumstance.

By Unanimous Consent, the Plan Commission re-ordered the Agenda to hear item **4h, Docket No. 05080042 DP/ADLS Amend, Covenant Commercial Buildings**, and **6i, Docket No. 05080019 DP/ADLS Boardwalk Shops** as the first items of business.

H. Public Hearings:

- 1H. **Docket Nos. 05080009 SP & 05080010 DP: Carmel Science & Tech Park, blk 7**
The applicant seeks approval for a development plan and 5 new lots.
The site is located southeast of Carmel Dr & Adams St and is zoned M-3/Manufacturing.
Filed by Mike DeBoy of DeBoy Land Development Services, Inc.

Kevin Roberts, DeBoy Land Development Services, 501 South 9th Street, Noblesville appeared before
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the Commission representing the applicant.

The proposal is for a Development Plan within the Carmel Science & Technology Park, block 7 that will include five (5) new lots. The site is located southeast of Carmel Drive and Adams Street and is zoned M-3/Manufacturing.

The petitioner is including two (2) public streets that will connect Adams Street, City Center Drive, and Carmel Drive. The site consists of ten acres bounded by three (3) major roads. The petitioner will be dedicating right-of-way in accordance with the Thoroughfare Plan; a 70-foot one-half right-of-way on City Center Drive and a 45 foot one-half right-of-way on Carmel Drive. The Department of Engineering has asked for additional right-of-way on Adams Street as well.

The petitioner has been reviewed by the Technical Advisory Committee and extensive discussions have been held with Engineering; expressed concerns are being addressed. The landscape buffer is a primary concern of the Urban Forester's report, since the landscape buffer is out of the easement.

At this time, the petitioner asked for approval of the development plan.

Members of the public were invited to speak in favor of or opposition to the petition; no one appeared and the public hearing was closed.

Department Report, Matt Griffin. The Development plan only is being voted on this evening. The Secondary Plat is an administrative process and the Department will handle that approval after the Development Plan is approved and finalized. The landscape plan has been approved by Scott Brewer and will be fully addressed at the Secondary Plat stage. Each lot will return to the Commission for its own development plan and ADLS approval. At this time, the land is being split up and infrastructure is being added with the interior streets. Engineering has submitted a list of requests, and those are included in the list of conditions.

The Department is recommending suspension of the Rules of Procedure and approval of the plan subject to the conditions given by the Engineering Dept.

Jerry Chomanczuk said he would like to see and hear from the Engineering Dept as far as comments as to what kind of impact this will have.

Matt Griffin said that part of the comments were that the applicant understands that Carmel Drive access will be limited to right in/right out at some point in the future, but not at this time.

Kevin Heber questioned the alignment of the buildings—perhaps it could be done in a more aesthetically pleasing manner.

Matt Griffin commented that the proposed plan provides for full access on Adams Street and the revised plans do reflect that.

Kevin Roberts stated that that Engineering required resurfacing Adams Street and the access was removed at that time. Upon further discussion, the petitioner has agreed to resurface Adams Street and

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the connection to Adams Street will be the only full access. The site will be bounded on three sides by a multi-use path.

Madeleine Torres agreed with comments made by Jerry Chomanczuk regarding access on Carmel Drive. Ms. Torres was not in favor of approving with a lot of conditions attached and requested that the Engineering issues be resolved before coming to the full Commission.

Jerry Chomanczuk referred to the location of MISO and their security concerns. Was MISO notified of this particular DP Plan? One of the access roads runs perpendicular into the back of the MISO building.

Matt Griffin responded that MISO and all adjoining landowners had indeed been notified.

Susan Westermeier would rather see this site without access on Carmel Drive. Is there a particular reason for right in/right out on Carmel Drive?

Kevin Roberts' understanding was that the current configuration would relieve congestion off Carmel Drive and City Center Drive.

Docket No. 05080010 DP, Carmel Science & Tech Park, Blk 7 (Development Plan Only) was referred to the **Special Studies Committee** for further review on November 1, 2005 at 6:00 PM in the Caucus Rooms of City Hall.

Note: Docket No. 05080009 SP (Secondary Plat) will be approved administratively by the Department of Community Services.

2H. Docket No. 05080039 DP/ADLS : West Carmel Marketplace - Home Depot

The applicant seeks site plan and building approval.

The site is southeast of 99th St. & Michigan Rd. and is zoned B-3/Business within the US 421 Overlay. Filed by Mary Solada of Bingham McHale for Home Depot.

Mary Solada, attorney, Bingham, McHale, 2700 Market Tower, Indianapolis appeared before the Commission representing the petitioner. Also in attendance: Jeff Nance, project architect; Jim Peck, Civil Designs, and Rodney Reinhart, Duke Realty Co.

The property is within the Michigan Road Overlay, addressed as 9901 North Michigan Road, and a part of the West Carmel Marketplace Center, Block G. The proposed development would be the first brick Home Depot in the State of Indiana. The brick façade would be red-orange brick with tan stone and EFIS accents. Even the cart corral will be brick. The Garden Center will have graded windows and extensive landscaping. The area to the east and south will never be developed because of wetlands. Immediately to the east is the Spring Arbor Subdivision; to the northeast is Ashbrooke.

There are two variances being sought; one requires landscaping around the perimeter and in lieu thereof, the petitioner is proposing landscape planters. The lighting will be the same as West Carmel Marketplace.

The Home Depot Store will be segregating traffic for the individual home owners and for contractors. The petitioner is also seeking a variance for square footage—243 feet as opposed to the required 150 square feet.

The petitioner has had feedback from some of the neighbors and is prepared to make commitments regarding truck traffic. The petitioner will limit truck idling, hours of loading, and the use of loudspeakers.

The flagpoles will be located on the ground, not on the buildings! Hours of operation are 6:00 AM to 10:00 PM. A number of trees planted by Duke in the common area to the south and east have died. A lot of those trees were planted in late spring and have died. The petitioner is working with the contractor to get those trees replaced.

Members of the public were invited to speak in favor of or opposition to the petition; the following appeared:

Remonstrance/General, Unfavorable:

Chris Burcham, 10224 Bosloe Court, Spring Arbor (abutting the southeast corner of the commercial property) said he had attended a meeting with the petitioner and the biggest concern from the neighborhood would be noise from the proposed development. The project is only 400 feet from our backyard with nothing in between for a buffer with the exception of a tree line that Duke Realty planted last year (six-foot tall evergreens.) There is no screening between the delivery dock at the rear with the exception of the walls right at the dock where the trucks would be turning around and pulling in, and the very thin tree line. This has not been addressed. The retention ponds on the site only amplify the sound and the neighbors are asking for some kind of buffer from the noise.

Rebuttal: Mary Solada stated that the petitioner is agreeing to a three to four foot mound in addition to the plantings at the rear. The best place to put the wall in the back for the truck court is where it is located. The amount of setback between Spring Arbor and the development is extraordinary. The 430 feet is the closest point—from there it fans out and the distances are much greater. There will be a massive structure blocking the noise from Michigan Road—the residents could have the traffic noise from Michigan Road or the Home Depot. The Home Depot noise as buffered would be better. Some of these particulars will be addressed at the Committee meeting.

Department Report, Matt Griffin. The Staff is recommending this item be sent to the Special Studies Committee on November first and that the petitioner bring the items outlined in the Department Report for consideration.

Mark Rattermann asked for a more current aerial photograph for review at the Committee meeting.

Jerry Chomanczuk asked that the elevations under Tab 5 be blown up onto two sheets—the detail is very hard to read. At the Committee level, every possible sound-buffering that is available should be explored.

Jeff Nance, project architect addressed the Commission and explained the location of the wall. There

are three loading docks and trucks will be pulling in parallel to the wall.

Mary Solada said that Ashbrooke Subdivision had a different landscape and buffer plan from this development than did Spring Arbor.

Rick Ripma asked about the time of the deliveries; Mary Solada responded that because of the hours of the Home Depot, deliveries would be late evening and early morning. Home Depot desires to separate deliveries from customer traffic.

Home Depot is willing to restrict all activities to the interior of the store between the hours of 10:00 PM and 5:00 AM. Employees would be working during those hours inside the store and forklifts would be moving inside the store. There may be a truck in the well, but it will not be idling. Forklifts will be loading from inside the truck and bringing materials into the building. There would be occasional trucks during the day within normal business hours.

Mary Solada's understanding is that from 10:00 PM to 5:00 AM there will be no outdoor activity. There will be loading going on inside the building with forklifts, but it will be contained to the inside of the building.

In response to questions from Rick Ripma, Jim Peck stated that a truck could pull in after 10:00 PM, drop the trailer, and drive away. There would be no forklift activity outside the building.

Kevin Heber asked if there would be any type of buffer between cars and bicycle traffic on the main drive. There is basically a 25-foot wide, two-lane drive.

Mr. Nance felt that the drive was wide enough for two vehicles to pass and also room enough to pass a bike.

Docket No. 05080039 DP/ADLS, West Carmel Marketplace – Home Depot was referred to the **Special Studies Committee** for further review on November 1, 2005 at 6:00 PM in the Caucus Rooms of City Hall.

3H Docket No. 05080040 DP Amend/ADLS: West Carmel Center, Blk C, lot 1 - Maplecrest Commons

The applicant seeks site plan and building approval for a business/retail center. The site is just west of Commerce Dr. & Carwinion Way and is zoned B-3/Business within the US 421 Overlay. Filed by Mike Jett of American Consulting for PR Block C, LLC.

Alan Fetahagic, American Consulting Engineers, 7260 Shadeland Station, Indianapolis, 46256 appeared before the Commission representing the applicant. Also in attendance: Craig May, owner of PR Block C., Steve Hanscomb, Project Architect, and Rob Cazarro, Project Engineer, American Consulting.

The project is located within the West Carmel Center at the southeast corner of Michigan Road and 106th Street, within the US 421 Overlay Zone. Block C is specifically located near the southwest corner of the intersection of Commerce Drive and a private road.

Lot one of Block C is the last remaining piece to be developed within Block C. The total acreage of the site is 5.8 acres and includes a pipeline easement on the north and south sides of the site. The actual useable area is approximately 2.9 acres. The site is also bounded on the east side by Commerce Drive and on the west side by a private drive; an existing bank and retail center (Medford Place) are currently under construction.

The development consists of a 22,500 square-foot retail center and associated parking. The required number of parking spaces total 115—115 are being provided based on the square footage and potential usage. The petitioner is proposing a curb-cut on Commerce Drive and two curb-cuts on the private drive.

The development plan was reviewed by the Technical Advisory Committee and all concerns have been addressed. Specifically, the petitioner has worked with the Urban Forester and his comments have been addressed. A meeting was also held with the homeowners of Ashbrooke Subdivision and they expressed concern regarding landscaping along Commerce Drive. The homeowners would prefer more evergreen trees than shown on the plans and would like something similar to that shown along Commerce Drive. The petitioner is more than willing to work with the homeowners and Scott Brewer, the Urban Forester to provide a plan that is satisfactory to all parties.

The site lighting plan was designed pursuant to City of Carmel standards. The homeowners were concerned regarding the wallpack lights on the east façade of the building; the petitioner removed the wallpack lights and placed them on the west side of the façade; this necessitated the filing of a variance before the Board of Zoning Appeals next week.

Steve Hanscomb, American Consulting Engineers, addressed the Commission. The decorative light fixtures along the back facing Ashbrooke have been removed in order to reduce lighting glare. The poles and lighting fixtures for the site are very similar to those being used in the retail center of Medford Place. The petitioner is matching the poles and lighting fixtures for the site that will be in the parking lot. Pursuant to conversations with Ashbrooke HOA, the petitioner is also providing screening along the back side of internal housing to cut down the glare to the east.

Channel letter signage is being proposed—the same as Medford Place (a single color scheme—white illuminated signs with black returns. The petitioner is proposing two colors, white with black returns, and red with black returns—inter-mixed.

The rooftop units will be interior and will be screened with a parapet wall. There will be three arches at the gables; the building will be brick façade, EFIS signboard; the trash dumpster will be very similar with brick.

Members of the public were invited to speak in favor of or opposition to the petition; no one appeared and the public hearing was closed.

Department Report, Matt Griffin. The Department is recommending this item be sent to November 1 committee. It is suggested that Subdivision Committee review this item in order to even-out the workload of each Committee. It is also recommended that the petitioner bring items detailed in the

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Department Report for discussion at the Committee level.

Docket No. 05080040 DP Amend/ADLS, West Carmel Center, Blk C, Lot 1, Maplecrest Commons was referred to the **Subdivision Committee** for further review on November 1, 2005 at 6:00 PM in the Caucus Rooms of City Hall.

4H Docket No. 05080042 DP/ADLS Amend: Covenant Commercial Buildings

The applicant seeks site plan and building approval for 2 buildings.

The site is located at 611 & 621 N Range Line Rd and is zoned B-5/Business within the Old Town Overlay- Character Sub-area.

Filed by Adam DeHart of Keeler-Webb Assoc. for Eric Snedecker.

Adam DeHart, Keeler-Webb Assoc. appeared before the Commission representing the applicant. Also in attendance were Mr. And Mrs. Eric Snedecker, owners and developers of 611 and 621 thru 623 North Range Line Road. The future tenant of 621-623 North Range Line Road was also in attendance.

The subject site is within the sub-area of the Old Town Overlay and is zoned B-5/Business. The older home and newer home on the site have been used for residential purposes in the recent past. There are some large trees on the site, however, a large part of the eastern portion of both sites is undeveloped. Both sites already have existing curb-cuts and all utilities are available.

Both sites are being treated as one piece of property. The site is being designed and master-planned to function as a commercial business. The visitor and handicap accessibility is to be maintained off an existing driveway to the northern building. Immediately north of the existing building is a garage—the plan is to simply the garage doors and install windows instead.

At this time, there are no plans to make any exterior changes to the façade of the southern building, since there is no tenant as yet. However, the intention is for the southern building to remain as is. The main change to the project is hard-surfacing the parking lot area as well as providing curbing and landscaping to the parking lot area.

The suspended signage matches the requirements of the Old Town Overlay. The signs would number one per building.

The up-dated landscape plan has been revised per the comments from the Urban Forester and submitted; the Urban Forester has not yet commented on the revised landscape plan.

No exterior lighting is being proposed on the structures. Essentially, the only changes seen to the site are the parking lot addition, garage doors being replaced by windows, and additional landscaping.

There are some outstanding issues with the Engineering Department, especially in regard to the storm sewer along the north property line that was installed several years ago. Somehow, the storm sewer was installed without an easement and the petitioner is more than willing to provide an easement to the City for sewer maintenance.

The petitioner requested Suspension of the Rules of Procedure in order to bring this item to a vote this

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evening.

Members of the public were invited to speak in favor of or opposition to the petition; no one appeared and the public hearing was closed.

Department Report, Matt Griffin. The Department is in support of approving the Development Plan this evening conditioned upon all outstanding Engineering issues being resolved and that the petitioner appear at Special Studies Committee for ADLS review on November 1, 2005.

Jerry Chomanczuk requested that sample materials be brought to Committee.

In response to questions from Rick Ripma, Adam DeHart said there are no exterior changes to the southern building—the only exterior change to the northern building is the removal of the garage doors and replacing with windows. The siding and balance of the exterior building materials will be matched with the existing structure.

Jerry Chomanczuk asked to see the design of the window installation; this could be at the committee level.

Dianna Knoll moved for suspension of the Rules of Procedure in order to vote on the Development Plan this evening, seconded by Jerry Chomanczuk, Approved 10-0.

Dianna Knoll made formal motion to approve **Docket No. 05080042 DP, Covenant Commercial Buildings**, on the condition that all engineering issues are resolved, seconded by Rick Ripma and Approved 8 in favor, two opposed (Chomanczuk and Ripma.)

Note: The ADLS Amend portion of Docket No. 05080042, Covenant Commercial Buildings was forwarded to the Special Studies Committee for further review on November 1, 2005 at 6:00 PM in the Caucus Rooms of City Hall.

5H. Docket No. 05090009 PP: Five Star Estates

The applicant seeks to plat 5 lots on 5 acres.

The site is located at 2200 W. 131st Street and is zoned S1/Residential.

Filed by Greg Snelling of Snelling Engineering, LLC for Prime Lots, LLC.

Greg Snelling, Snelling Engineering, 13295 Meridian Corners Boulevard, Carmel. Also in attendance: Dilip Patel, developer, Prime Lots, LLC.

The petitioner is seeking approval to plat a residential subdivision consisting of 5 lots on 5 acres located at 2200 West 131st Street. The site is zoned S-1/Residential and bounded by a section of the Village of WestClay to the west and south. Currently, there is a home located on the site that will be demolished as a part of the development.

A curb cut is proposed with an entrance off 131st Street and an asphalt path. The plan includes a 500-foot long cul-de-sac along the north side; the five lots are to the east with dry water detention area. The petitioner has appeared before the Technical Advisory Committee and there are no outstanding issues.

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The lot sizes in the Subdivision range from .57 acres to .84 acres and will be served by public water and sewer. Home prices will range \$800,000 and upwards.

Samples have been submitted of the signage being proposed as well as a preliminary landscape plan and a copy of the Primary Plat drawing that was filed showing utilities and dimensions, etc.

Members of the public were invited to speak in favor of or opposition to the petition; the following appeared:

Public Remonstrance/General/Unfavorable

John Logan, 2208 West 131st Street, Carmel, was opposed to the development and would rather see open space. However, should this be developed, he would like a fence installed for safety and security—Mr. Logan's barn is located midway back and about 40 feet off the property line.

The public hearing was then closed.

Rebuttal, Greg Snelling: Mr. Patel has stated that he is willing to build a fence approximately 500 feet long that would be parallel with the west property line to the end of the cul-de-sac. The petitioner will comply with the bufferyard requirement that has extensive landscaping—in addition to the heavy tree row that is in existence. Both sides should be buffered significantly in addition to the fence that the petitioner is willing to install as part of this development.

Department Report, Matt Griffin: In terms of the landscape plan, Scott Brewer has said that the landscape plan does comply with the Ordinance, however one bufferyard between two properties is not a very thick wall. If the applicant wishes to do a fence, the Committee will need to explore the materials proposed and how that would be constructed. The Engineering Dept had one issue and that was the length of the accel/decel lane. If the Commission were to suspend its rules and approve this item tonight, the Department would recommend two conditions of approval, i.e. the fence and the Engineering Dept.

Mark Rattermann asked about the entrance signage.

Greg Snelling responded that final plans will be submitted, but the petitioner wanted to give the Commission an idea of the quality of the type of entrance being proposed. Perhaps the "signage" terminology is misleading.

Matt Griffin asked if the name of the Subdivision would appear on the wall; the petitioner responded in the affirmative.

In response to questions from Rick Ripma, Matt Griffin stated that the example of the Subdivision Wall should be an exact match of the actual wall, although it could be in a different shape or different form to contour with the entry.

Dianna Knoll noted that Lot 3 is just over one-half acre, even though the subdivision is presented

overall as five acres, five lots. Of course there is a road and infrastructure, but this should be looked at carefully as far as density.

Docket No. 05090009 PP, Five Star Estates was forwarded to the Subdivision Committee for further review on November 1, 2005 at 6:00 PM in the Caucus Rooms of City Hall.

6H. Docket No. 05100008 CPA: Comp Plan Amendment – Civic Design Policies

The applicant seeks to amend the Carmel/Clay Comprehensive Plan in order to add Civic Design policies.

Filed by the Carmel Department of Community Services.

Mike Hollibaugh, Director of the Department of Community Services appeared before the Commission representing the applicant. Also present: Adam Thies, Urban Planning Consultant, Eden Land & Design, Inc., and Adrienne Keeling, Long Range Planner, Dept of Community Services.

Mike Hollibaugh introduced the proposed amendment to the Comprehensive Plan—Civic Design Document that is proposed to be the guiding principles for the Carmel central core area. The culmination of the Urban Design Initiative Program was intended to provide the Commission with educational opportunities and a better understanding of urban planning and traditional neighborhood design principles. This is a conclusion of sorts, but also a launching point to achieve objectives, goals and principles.

Adam Thies, Eden Land & Design, Inc. addressed the Commission. The document before the Commission this evening is the culmination of effort over the last year; the document created for this effort is titled Civic Design. The points of the Civic Design document were highlighted by Adam Thies in a power-point presentation.

Members of the public were invited to speak in favor of or opposition to the petition; no one appeared and the public hearing was closed.

Department Report, Matt Griffin: At the discretion of the Commission, this item may be sent to either the Subdivision Committee or the City Council.

Mike Hollibaugh commented that in working with the Land Use and Annexation Committee of the City Council, it appeared that there was a lot of support for this document and that it would be supported as an amendment to the Comprehensive Plan.

John Molitor explained that a Comprehensive Plan is a document that is supposed to contain concepts and general principles. For legal purposes, the Comprehensive Plan has two significant impacts. One is that both the Plan Commission and City Council, when it looks at rezones or amendments to the zoning ordinance, must pay reasonable regard to the Comprehensive Plan. Secondly, when use variances are submitted, one of the criteria for a use variance is that it must not conflict with the Comprehensive Plan. There are some other ramifications, but they do not directly affect the Commission or the Council, but other governmental bodies in the community are supposed to pay attention to the Comprehensive Plan as well.

Leo Dierckman noted that there was no public input this evening, and this proposal is a pretty big step.

Jerry Chomanczuk reported that a few months ago, the Department solicited comments from a wide array of Council members, Commission members, and the general public. Perhaps it would help the Subdivision Committee if they could get a synopsis or summary of ideas that came out of general public response.

Adam Thies responded that presentations had been made twice—in the newspaper, and linked on the City website. However, there was not an overwhelming amount of comments received. Initially, it was not intended to be a Comp Plan document, but it was discussed as such at the City Council.

Docket No. 05100008 CPA, Comp Plan Amendment – Civic Design Policies was referred to the Subdivision Committee for further review on November 1, 2005 at 6:00 PM in the Caucus Rooms of City Hall.

I. Old Business:

11 Docket No. 05060040 Z and 05060041 ADLS: 116th and College PUD

The applicant seeks to rezone 12.4 acres from R1/Residential and B6/Business to PUD/Planned Unit Development for the purpose of creating a mixed use development comprised of townhome, retail, and office uses.

The site is located at NE corner of 116th Street and College Ave.

Filed by Timothy Ochs of Ice Miller for Equicor Development, Inc.

Note: Dan Dutcher was recused for this item.

Zeff Weis, attorney, Ice Miller appeared before the Commission representing the applicant, Equicor Development. Also in attendance: Greg Small and Mark Zuckerman of Equicor, Tom Jolley, Architect.

The petitioner is requesting a rezone of the property from R1 and B6 to a PUD classification along with ADLS approval for a mixed-use development—neighborhood shopping center and residential townhome community. At this time, it is anticipated that the townhomes will be developed by Centex Homes.

The site plan provides for the buildings being brought toward the street for a more urban appearance. There is access from both the front and the back with parking to the rear of the buildings. There is a parcel consisting of approximately 5 acres that is not a part of this development; attempts have been made to purchase the 5 acres, but no agreement has been reached with the owner. The proposed design does anticipate that someday, the 5-acre parcel will be developed in a manner consistent with the current proposal and will allow for connectivity.

The current proposal is for 60 townhome units. There are out lots depicted on the plan, however nothing is planned at this time and they will be self-contained in terms of the building and the parking. The building proposed for the corner of 116th and College Avenue is similar to what is being constructed at the corner of Guilford and 116th Street. The building is a two-story appearance with outdoor seating and activity with “teaser” parking in front of the building.

There has been some discussion regarding the possible re-alignment of College Avenue; if that were to occur, the petitioner would be in a position to put parking in front of the building with an island separating College Avenue from the parking area, similar to that seen at Clay Terrace. This development is a Centex product with a Georgian-type look; garages are to the rear.

Zeff Weis reported that this item came out of Special Studies Committee with a 4-0 positive recommendation for approval. Following Committee review, the DOCS had further ideas based on comments from the Mayor. The petitioner worked with Les Olds, Director of Redevelopment, in order to incorporate items that would be mutually beneficial.

The current design does differ from that seen at Special Studies Committee, but it is believed to be consistent with conversations with the Special Studies Committee. There was some concern about not having a park area and also the pond area. The site plan now reflects the modifications. There will be a park area for the residential portion; the buildings have been turned to face south rather than north; there is now the ability to park in front of the units for visitors; angle parking has been added to the new park area and in front of the townhomes. A series of pedestrian walkways has been added from the townhome community to retail or commercial.

Parallel parking has been added along 116th Street with a bump-out as well as an esplanade area and island at the entry. Access has been added to the interior street and parallel parking has been added to the interior for visitor parking.

In addition to the connectivity, there was concern at the Committee meeting regarding the out-lots. Whatever is developed on the out-lots would have to come back before the Commission for approval. The landscape plan has been approved through DOCS. The petitioner is also seeking approval for a monument sign depicted in the informational materials (tab 11.)

At this time, the petitioner is asking for approval of the ADLS and favorable recommendation of the rezone.

Jerry Chomanczuk reported for the Special Studies Committee. One of the issues was the total number of parking spaces. The Committee was uncertain regarding the on-street parking but felt that if it had the total blessing of the City, it was OK. College Drive may not be the right place to introduce that, but it does provide the petitioner with a certain amount of additional, diagonal parking. The Committee has not seen this particular plan/design. It does look as if there are embellishments and vast improvements. Looking at this plan, there are two causes for concern—the parallel parking on 116th Street and the access point—the boulevard location and how it impacts the traffic on 116th Street. Another issue raised at the Committee level was the extent of sidewalk development and how far it would be taken. There is now substantial sidewalk being installed on 116th Street and turning onto College, but it sort of stops. The Committee recommended a further expansion of the sidewalk to a point where it would benefit the petitioner with the businesses that are found on College Drive. This item has taken a one-month sojourn. One item: a waiver was requested for the main occupant to sign off. The waiver was provided by REI, it was signed and returned with a revision, and it was not signed off after that and is an open item.

Department Comments, Matt Griffin: This item was continued last month primarily because the Department as well as the Mayor's office wanted an opportunity to see if there was any chance for refinement of the plan to make it better. Since then, the Department has been working closely with the Mayor's office as well as Les Olds of the Redevelopment Commission and with the applicant's revised site plan to function better and appear better. There has been a good working relationship with the applicant; however, they have to take full advantage of what their context has to offer. It

was the Department's understanding that the applicant would be dropping off a site plan this afternoon that would incorporate a lot of points discussed. The current site plan is a small step toward the objective.

Matt Griffin displayed a concept plan that would refine the petitioner's proposal. There are a few issues the Department would like to see further explored. On-street parking would be more like pulling into the site with a one-way motion around the front of the storefronts with teaser parking instead of parallel parking as opposed to a direct cut off 116th Street, curbing it, and coming back out as seen in the petitioner's plan. Another facet that could be better discussed and explored was to work with the City to re-align College Avenue and eliminate the "hump" and allow the project area to have more space and allow the petitioner more space and also provide the City with a nice view-shed of the building façade as well as the on-street, teaser parking. The Mayor's office also desires to see better-integrated green space within the residential portion of the plan. In the new plan, the park area could be incorporated into the central area as opposed to the outskirts. The current plan was submitted to the Department a few hours before the meeting. The petitioner is making strides, but this could be better. All of the pieces are there, but we do not want to hurry it forward and miss an opportunity to make this a great project.

Scott Brewer has yet to approve the landscape plan.

Dianna Knoll commented that this sounds like new business rather than old business and should have gone back to Committee for review. Clearly, this is a breakdown in process. Perhaps this item should be tabled.

Matt Griffin responded that this certainly could be tabled for further discussion next month, or send it back to the Committee or even send it on to the City Council.

Madeleine Torres did not have the feeling of a breakdown in the process. There were a few parking issues at Committee when this was discussed, but otherwise felt that they were right on target. Now the Department is requesting changes.

Rick Ripma agreed with comments made by Madeleine Torres. It is difficult to understand how this item could come out of Committee with a 4-0 vote for approval and then looked at again for design changes. It should not have come out of Committee.

Matt Griffin responded that the only changes being requested for additional time to study are on-street parking and the realignment of College Avenue.

John Molitor suggested that the Commission perhaps consider sending the rezone on to City Council and at the same time, continue the ADLS review. This would give the developer an opportunity to see whether or not the Council approves the rezone. If the developer wants to take into account some of the suggestions from the Department, it would give them another month or two to do that. Failing that, if the Council approves the rezone, the Commission could proceed to approve the ADLS in November/December.

Mark Rattermann commented that he was strongly opposed to an access point directly onto 116th Street for the same reason and issues at 116th and Keystone—all of the people exiting the project will be interrupting traffic flow and that will be a big problem. The other concern is that a person pulling into the development to park could conceivably be waiting for someone to back out and that person would be sitting in the middle of College Avenue and blocking the entire intersection.

Leo Dierckman expressed confusion that the items being discussed were introduced after-the-fact—after Committee.

Mike Hollibaugh addressed the Commission and stated that the Department still had concerns at the Committee level and the Committee voted it out in one meeting. The Department felt the project needed further review. The Mayor's office has been involved, and the Department has tried to continue with the petitioner. However, the Commission could forward this item on to the Council, but the Department is just trying to make this the best project possible. We get "one shot" at this corner and we are dealing with issues and principles that none of us is completely familiar with. We normally move things along; this is an important corner, a key corner, and will be a focal point for years to come.

Jerry Chomanczuk made formal motion to approve **Docket No. 05060041 ADLS, 116th and College PUD** and forward **Docket No. 05060040 Z, 116th and College PUD** to the City Council with a positive recommendation, **conditioned upon** the removal of on-street parking along 116th Street and "teaser" parking along College Drive and modifications introduced with the plan this evening, seconded by Madeleine Torres, Approved 9 in favor, none opposed, Dan Dutcher recused.

Following a short recess, the meeting resumed with the following business.

2I. Docket No. 05060048 SW: 8.09.02 – Laurel Ridge Private Streets

To allow the construction of private streets serving the entire subdivision.

The site is located at the SE corner of Ditch Road and W. 106th Street and is zoned S1/Residential.

Filed by Joseph Calderon of JBC1, LLC for JB Cohen

Joseph Calderon, attorney with Bose McKinney, 600 East 96th Street, appeared before the Commission representing JBC1. Also in attendance was Jeff Cohen.

The primary plat for this subdivision was approved last month with several subdivision waivers. At that time, there was one outstanding issue, due in part to the fact that some Commission members were not present and 6 votes were needed for any action.

The proposal for private streets matches the desire of the developer and prospective lot purchasers in this high-end subdivision. It should be noted that the private streets would be built to public street specifications.

The Thoroughfare Plan as far as right-of-way is being met on both 106th Street and Ditch Road and there are no connectivity issues.

The petitioner has agreed to provide walking paths along the perimeter of the property as well as accel/decl lanes. There is a significant turn-around area that would sufficiently allow vehicles to either stack or make a safe re-entry onto Ditch Road without backing up. The petitioner firmly believes he has met the Department's conditions and recommendations. Support from the neighbors was conditioned upon their security being linked to Laurel Ridge.

Committee Report, Rick Ripma: The Committee did not have a majority vote on this item. The issue did come down to the gate. The Committee voted 2-2, no decision vote.

Department Report, Matt Griffin. The direction Staff received from the Commission was to come up with draft Ordinances that the Commission could use as criteria to judge requests for private streets, waivers, and also gates. The Department sees this long term as 1) The waiver criteria for private streets would probably be couched into the Subdivision Control Ordinance and the gate standards would be some sort of policy used to review and judge gates. The Department is open for suggestions and comments. The Department is recommending approval of this project.

Dianna Knoll made formal motion to approve **Docket No. 05060048 SW: 8.09.02 – Laurel Ridge Private Streets**, seconded by Rick Ripma, **Approved** 8 in favor, two opposed (Dutcher and Heber.)

3I Docket No. 05060051 PP: The Retreat of West Clay Primary Plat

The applicant seeks approval of 32 lots on 23.49 acres:

The site is located near the NE corner of Little Eagle Creek Ave and W. 141st St. and is zoned S1/Residential

Filed by Jim Shinaver of Nelson and Frankenberger for Centex Homes.

Jim Shinaver, attorney, Nelson & Frankenberger appeared before the Commission representing the applicant. Also present: Sean Sullivan, Centex Homes and Gordon Crites, Engineer, Stoeppelwerth & Associates.

This item was reviewed by the Subdivisio Committee and received a unanimous recommendation for approval. The proposal is for a primary plat consisting of 32 lots on 23.49 acres; no waivers or variances are being requested.

The only issue was some adjacent neighbors who expressed an interest for the petitioner to re-evaluate the landscaping placement on the site. Since the Committee meeting, the petitioner met with the adjacent neighbors and the landscaping has been re-located to accommodate their concerns and in other areas, additional landscaping has been added.

A revised, color landscape plan was submitted; the plan was approved by Scott Brewer, Urban Forester.

Rick Ripma reported for the Subdivision Committee. The petitioner agreed to re-look at the landscape and the Committee approved this item 4-0.

Department Comments, Matt Griffin. The Department is recommending approval as forwarded by the Subdivision Committee with the one condition that the applicant address all outstanding issues that Carmel Engineering may have.

Mark Rattermann made formal motion to approve **Docket No. 05060051 PP, The Retreat of WestClay Primary Plat**, conditioned upon resolution of outstanding issues from the City Dept. of Engineering, seconded by Rick Ripma, **APPROVED 10-0**

4I Docket No. 05080006 DP/ADLS: Home Place Second, lots 256-258 & 247-248

The applicant seeks building addition and site expansion approval.

The site is located at 10505 N College and is zoned B-1/Business within the Home Place Business Overlay.

Filed by Mark Swanson Associates for Weihe Engineers.

Mark Swanson, Mark Swanson Associates appeared before the Commission representing the applicant. Pat Sheehan, Jamie Shinamen and Alan Weihe of Weihe Engineers were also in attendance.

The existing building is located on College, south of 106th Street. The addition will be directly to the north of the existing building. There is an atrium building between the current building and the proposed. College Avenue lies directly in front of the building.

Special Studies Committee, Jerry Chomanczuk: The façade is just an extension and replication of the existing façade and signage. The petitioner was easy to deal with, it was carefully planned out, and any concerns have been addressed. The Committee voted 4-0 for approval.

Matt Griffin, Department: There are no outstanding concerns and the Department is recommending favorable consideration.

Jerry Chomanczuk made formal motion for approval of **Docket No. 05080006 DP/ADLS, Home Place Second, Lots 256-258 and 247-248** (Weihe Engineers) seconded by Mark Rattermann, Approved 10-0.

5I Docket No. 05080011 DP/ADLS: Meridian Corporate Plaza

The applicant seeks approval for the site plan and buildings. The site is located at 401 Pennsylvania Pkwy and is zoned B-5 & B-6/Business within the US 31 Overlay.

Filed by Fred Simmons of Simmons Architects, LLC for MCP Partners, LLC.

Fred Simmons, Simmons Architects appeared before the Commission representing the applicant. The petitioner has responded to comments from the City and has obtained approval from Scott Brewer, Urban Forester.

Jerry Chomanczuk, Special Studies Committee. The Committee reviewed this item and was concerned how the two, new buildings would blend with the older, existing building in the center. The Committee was satisfied that the exterior and façade would blend well with the existing building. Another item of concern was how the trail around the retention pond would have access to the general public. The petitioner requested that the trail access be kept exclusive; the Committee agreed. One other item that was brought up was the Leeds factor and the petitioner has advised that there will be some elements of green to these buildings. The Committee voted a 4—0 favorable recommendation.

Department Report, Matt Griffin: The Department is recommending approval as forwarded by the Committee. There is only one condition and that is the submission of a photo-metric lighting plan that complies with the Overlay requirements. The other condition is a verification of the re-surfacing of Pennsylvania Parkway in the last two years.

Also, the petitioner is proposing a multi-path for the link for the southern portion of the path out to College as opposed to not offering it at all.

Mark Rattermann made formal motion to approve subject to submission and approval of a photometric plan that complies with the Overlay requirements, seconded by Jerry Chomanczuk, Approved 10-0.

6I. Docket No. 05080019 DP/ADLS: Boardwalk Shops

The applicant seeks to create 2 structures (1 retail, 1 office) on 2.63 acres.

The site is located at the NE corner of Carmel Dr. and Adams Street and is zoned M3 – Manufacturing.

Filed by Adam DeHart of Keeler Webb Associates for C and L Management, Inc.

Adam DeHart, Keeler-Webb Associates appeared before the Commission representing the applicant. Also in attendance was Charles Key, owner of C and L Management, Inc.

Some revisions have been made to this difficult site that could lean towards the vision of the City for this area. There has been some realigning to the structure and some re-shaping so that more façade is visible from the street and more pedestrian and bicycle-friendly access.

In the revision process, three to four tenants were relocated on the façade that faces Carmel Drive. One of the buildings has been “flipped” so that the front of the building faces Adams Street and the rear faces the interior. There will still be entry doors to the north, but the main impact of the façade is on the street side.

There has been some discussion with DOCS Staff and Engineering regarding the future of street parking on Adams Street. The petitioner will be submitting drawings to the Engineering Dept for approval for street parking. The concept has been reviewed by Engineering, but the final construction documents have not been “signed-off.” The proposal includes eleven (11) on-street parking spaces. Additional parking has been added to the site, and any retail use is limited to 12,500 square feet so that the parking ratio complies with the Ordinance.

There is an existing landscape mound on site and the petitioner will be adding trees to meet the buffer-yard requirements. The awnings are now the same color as the building. The petitioner is willing to make commitments regarding the type, location, size and style of the signage.

Committee Report: Jerry Chomanczuk noted that one of the key issues the petitioner compromised was the color scheme—initially a “Coney Island Boardwalk.” What is currently seen is more befitting Carmel Drive. The buildings were shifted in a number of combinations, but it drastically reduced the footprint that the petitioner could work with. There were some concerns with parking and the petitioner has apparently added parking. The Committee voted 4-0 to recommend approval.

Department Report: Matt Griffin said the Department is recommending approval as forwarded by the Special Studies Committee with one condition and that is that all outstanding items with Carmel Engineering be addressed prior to any building permits being issued. The parking spaces have been verified and the parking does comply with the requirement.

Adam DeHart confirmed that a 45-foot one-half right-of-way was granted to the City of Carmel by the previous owner of this site and a 10 foot multi-use path is being provided by the petitioner.

Jerry Chomanczuk made formal motion for approval of **Docket No. 05080019 DP/ADLS, Boardwalk Shops**, conditioned upon all outstanding items from Carmel Engineering being resolved, seconded by Rick Ripma, **APPROVED** 10-0.

7I Docket No. 05080021 PP Amend: Kendall Wood

The applicant seeks to plat 15 lots on 12.045 acres with the following subdivision waivers:

Docket No. 05080022 SW: 6.03.19 – Access to Arterials, Parkways, and Collectors

To seek relief from houses fronting collector streets/200 foot required separation from collector streets.

The site is located at the NW Corner of W. 121st St. and Shelborne Rd and is zoned S1 (ROSO).

Filed by Brian Robinson of Stoeppelwerth and Assoc. for Steve Wilson Inc.

Steve Wilson, Developer, Keystone Way, Carmel appeared before the Commission representing the applicant. This item was reviewed by the Subdivision Committee and all issues addressed. In addition, the landscape plan has been reviewed and approved by Scott Brewer.

Committee Report, Rick Ripma. The biggest concern of the Subdivision was to make sure that they did not get blockage and the development would have the preferred view from the road. The committee voted a 4-0 favorable recommendation.

Department Report, Matt Griffin. The Department is recommending approval as forwarded by the Subdivision Committee with the one condition that the applicant require masonry wrap on residences on lots 1, 15, and 10.

Rick Ripma made formal motion to approve **Docket No. 05080021 PP Amend, Kendall Wood**, and **Docket No. 05080022 SW, 6.03.19, Access to Arterials, Parkways, and Collectors**, conditioned upon masonry wraps on the homes on lots 1, 15, and 10, seconded by Dan Dutcher, Approved 10-0.

There was general discussion regarding Leeds criteria and requirements for building. The Department is anticipating incorporating the Leeds criteria into the Code.

The meeting adjourned at 10:10 PM.

Leo Dierckman, President

Ramona Hancock, Secretary